



October 2, 2015

Eric J. Sheehan, J.D.  
Department of Public Health  
Medical Marijuana Program  
RMD Applications  
99 Chauncy Street, 11<sup>th</sup> Floor  
Boston, MA 02111



Re: Management and Operations Profile Application 2 of 3

Dear Mr. Sheehan:

Please find revised responses to Questions 19, 30, and 36 of Hampden Care Facility, Inc.'s ("HCF") *Management and Operations Profile* enclosed. Also, should HCF pursue a lease with PPS Group, LLC it is prepared to submit an independent legal opinion that the terms of the lease are compliant with 105 CMR 725.100(A)(1) and the *Guidance for Registered Marijuana Dispensaries Regarding Non-Profit Compliance*.

Sincerely,

Thomas Gallagher  
Director, President  
Hampden Care Facility, Inc.

19. Describe the experience, and length of experience, of the Corporation's Chief Executive Officer, Chief Operations Officer, and Chief Financial Officer with providing services for marijuana for medical purposes.

Mark Zatyorka, CEO, has 9 yrs of experience operating a pharmacy and dispensing controlled substances which is directly transferable to providing cannabis for medical purposes. Like medical cannabis products, hemophilia products are heavily regulated. Both are controlled substances that require meticulous patient education, inventory management, and handling and tracking practices. Mr. Zatyorka has experience managing all aspects of the pharmacy business including patient care operations. He is dedicated to improving the quality of life of persons living with chronic illness and is acutely aware of the needs of the patients HCF would serve.

David Benlolo, Co-COO, has 6 yrs of experience providing services for cannabis for medical purposes. He has successfully led the development of 5 medical cannabis dispensaries and 4 cultivation facilities encompassing over 48K sq ft of production space. The largest production facility is 27K sq ft. Mr. Benlolo oversees more than 95 employees and is responsible for all aspects of the operations including development and implementation of policies and procedures, regulatory compliance, product cultivation, community engagement, security protocols, patient and employee education, sales, quality control programs, facilities management, and budgetary planning and analysis. In the 6 years of operating medical cannabis facilities, Mr. Benlolo has not experienced any theft, diversion, or other security-related problems. Under his management, these facilities have a sound compliance record with the City of Denver and the Colorado Marijuana Enforcement Division which reflects his organization's professionalism and emphasis on compliance within this heavily regulated industry.

Mr. Benlolo has experience implementing corrective action plans. Following the receipt of a Notice of Inspection Failure from the Colorado Marijuana Enforcement Division ("MED") related to an input error made by a former low-level employee, Mr. Benlolo conducted a thorough investigation and implemented a comprehensive corrective action plan to prevent future issues. He hired additional qualified staff, conducted extensive staff training, and revised operating procedures to strengthen the affected department and prevent a similar mistake in the future. The matter was promptly corrected and documented to the satisfaction of the MED. This was the first and only correction order issued to any dispensaries managed by Mr. Benlolo.

Phil Johnston, Co-COO, has over 30 years in health policy and public health experience. He has participated in extensive policy discussions regarding medical cannabis through his involvement with Massachusetts Health Policy Forum and Blue Cross Blue Shield of Massachusetts Foundation. Mr. Johnston is acutely aware of the benefits of medical cannabis as well as the public health concerns.

Peter Komassa, CFO, does not have any experience providing services for marijuana for medical purposes.

**30. Provide a summary of the RMD's operating procedures for maintaining confidentiality of registered qualifying patients, personal caregivers, and dispensary agents, as required by law.**

HCF's Patient Confidentiality Protocols will ensure that all information about registered qualifying patients, personal caregivers, and dispensary agents is maintained in confidentiality in accordance with 105 CMR 725.200(D). Such information shall not be disclosed without the written consent of the individual to whom the information applies, or as required by law or pursuant to an order from a court of competent jurisdiction, provided that DPH may access information to carry out official duties. HCF will further protect confidentiality in accordance with HIPAA guidelines.

HCF will use BioTrackTHC to scan patient identification/Program ID Cards upon arrival, ensuring only essential personnel access to information. A permissions setup within the BioTrackTHC system will control the amount of information a specified employee may view. Users will be required to input a PIN, fingerprint scan, or username/password to access data.

All confidential information will be encrypted and maintained on a secure server in accordance with 105 CMR 725.200. Any paper files with patient information will be locked in a safe in a limited-access area. The CEO and CFO are responsible for identifying/protecting against cyber security threats.

**36. Provide a summary of the RMD's policies and procedures for the provision of marijuana for medical use to registered qualifying patients with verified financial hardship without charge or at less than the**

The Hampden Cares assistance program will ensure that all qualifying patients have access to cannabis, regardless of financial limitations in accordance with 105 CMR 725.100(A)(6) and 105 CMR 725(A)(13). Patients enrolled in Hampden Cares will receive access to free delivery services at least 2x/mo (and at all times during emergency), one free gram of medical cannabis/MIPs per wk, and the ability to purchase cannabis and MIPs at a 25%-100% discount off retail prices, depending on income. The CEO may approve patients with needs beyond the max award level for higher vouchers.

Financial hardship patients must provide documentation verifying that gross income levels do not exceed 300% of the federal poverty level (adjusted for family size) or that they are recipients of MassHealth or Supplemental Security Income. Each application will be reviewed by the RMD manager and processed within 1 wk of submission. The CEO will evaluate applications on a case-by-case basis for exceptions to the baseline assistance rate. Once enrolled in Hampden Cares, patients must re-submit updated documentation every 12 mos and are required to report changes in income and other relevant information. All patients are required to sign an Anti-Diversion and Responsible Use pledge. Any patient suspected of diversion will be immediately removed from the program.

Initially, 6% of gross income will be budgeted for Hampden Cares and funding will be evaluated quarterly.